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President McKinley and Harvard. If Harvard University, one of our most ancient and honorable educational degree of Doctor of Laws, the same viously by Yale, we might be able to torial under review will demonstrate;

political accomplishments, and his general command of great affairs and knowledge and erudition, far from be- Mr. McKinley's Presidency "was as deing inadequate to the honor intended, would compare brilliantly with the qualifications of the men who annually receive the same distinction without ob-

lection being offered. We resent this spirit of un-American York Evening Post," from considering caddishness. It is vulgar and unman- the bestown of the doctorate upon the nerly; and especially we resent the tone gentleman whose commission was one of a labored article on the subject of purchase, by Yale University, as a of a labored article on the subject of purchase, by the countryprinted in the "Nation" in its issue of very neat and appropriate thing; but the aspiration and hopes of their countrytown of the subject of the subj such an editorial attack upon the per- since that was done, "Mr. McKinley's partment. No doubt their representations sonality of the President of the United character has appeared in a very dif-States certainly is sailing under false ferent light." The fatuity of this arcolors when it calls itself the "Nation." There is nothing national about it. As idential election of 1896 was bought a cold matter of fact, there never was. with money, the "Evening Post" was No person or paper in the country has quite as well aware of the fact when been more independently critical of Mr. Yale acted as it is now when Harvard McKinley's public policy and course than proposes to. The difference is that then The Times; but it has not been and has Mr. McKinley had not committed the no right to be oblivious of the truth that unpardonable sin of expansion, in which both have been twice endorsed by un- nine-tenths of the American people precedented pluralities of the American have been and still are particeps crim- Lopez, is still permitted to enjoy and people at the polls. We are entitled to inis, and utterly unrepentant. Now abuse the hospitality of the country to and do believe that it was a mistake that a limited mutual admiration to continue in power an Administration society, partly composed of Harvard which during four years had seemed to be under the influence of the trusts. which during four years had seemed to be under the influence of the trusts, so never noted for patriotic sentiments get hold of Cailles and forget to pro-Hannaism, Algerism, and the like. The later conduct of the President, it convoting masses of the country did not siders him unfit for academic recogniagree with us, and returned President tion from his cradle up. We need not McKinley to the office of President last even suggest the necessary deduction to November. This is a land wherein ma- a community with the ordinary Amerijorities or pluralities rule. The system can sense of humor. Our erring conmay be open to objection, but the fact temporary is not satisfied with abuse, it remains, and, as long as they do, it must misstate history, as the followdoes not lie in the mouths of a few un- ing will show. The "Nation" says:

above referred to. That journal, discussing the first departure from the Harvard practice of giving the doctorate of laws to the Massachusetts Governor of the day, in the case of Gov-

ernor Benjamin F. Butler, says: "It is lifle to say that the office of President the United States is nastly superior in dignity that of Governor of Massachusetts. The gov-

McKinley in the premises with that of a "licentlous clergyman," or a "quackdoctor," or a "rogues' lawyer," is, of course, not less majeste, because, for- spect. What contemptible puerility! tunately, we have nothing of that sort In this country. At the same time it is en impudent and low-bred assault upon that American sentiment which holds the office of American President in veneration, and its incumbent in the respect to which the high station to which he has been elevated by the popplar suffrage entitles him. The "Nation" continues:

"The a Republic like ours, distinctions between officialities and citizen tend properly and inevitably to be minimized aimous to obscure the missered master for office is a proof of this, because the suppress ambition is capable of being graiffed somewhere along the line. At no point in a hierarchy crucied and maintained by indiversal suffrage can office, viewed abstractly, suddenly become un object of weeking. Power, patronage, and emoluments will make our more exclude than mailtie, but none can arrogate to Recit Geoder's but and the freeman's uncovering. A United States Senatorially, for hotance, has every title to respect, as are, that the Presidency back in course to make the suppression of the senatorial transfer. "In a Republic like ours, mistinations between

are the office from the man." Moreover, when we reflect that the President is often chosen by a misority of the electors, it seems incontexable that a near Presidential candidacy should have some claim to the degree of LL. D. Bryun's is the see claim to the degree of LL. D. Bryon's is the carred unsuccessful casumple; and we sak those by (sincerely, we will allow) feel contrained the flore by Mr. McKindoy than to be claif to me and to give blue a seat on the platform, but their plain duty would have been if Bryon of got the voice and the chair of state. That is expectation and the overevers would have it the shutters up and gowe out of fown, on a sit of the peripatetic Presidency dropping in on can during his Administration, is as certain that they did so once on an Ill-timed call from a neighboring governorship."

Could anyone conceive of a more pitiful begging of the question? If Mr. Bryan had been elected President we can hardly imagine that Harvard would have offered him an honorary legree. The question whether such an offer would have been appropriate or not need not concern anybody. The corporation is not compelled to offer its honors to unyone except as it may please. But here is the crux of the sit uation: Were Mr. Bryan President, and the university had deliberately and publicly proposed to bestow a doctorate of laws upon him, neither the faculty nor the alumni, nor any part or faction f either, would be justified in attempting to affront the office or the man in the way that certain obscure persons foundations, had not voluntarily and are now endeavoring to do both in the formally invited the Hon. William Mc- case of Mr. McKinley. Having enlisted Kinley, President of the United States, in a bad cause the "Nation" does not to honor it by accepting the honorary hesitate to go the limit of personal criticism, and we are sorry to say, of abuse, having been conferred upon him pre- as the subjoined extract from the edi-

having been conferred upon him previously by Yale, we might be able to ignore academic objections which are being offered to the proposed bestowal, if they had been flied against merely a suggested honor. As it is, we are shocked by the bad inste and bad manners exhibited by a few Harvard alumni and their self-appointed organs, the "New York Evening Post," and the "Nation," its weekly annex.

A few days ago we had occasion torefer to the same subject, and to express our regret that Americans could be found who deliberately would cast slurs upon a distinguished gentleman occupying the position of Chief Magistrate of the Republic, and by virtue of the people's will its First Citizen. In view of published statements since that time, we are now compelled to recognize the fact that after the university has committed itself, there are persons who have been graduated from it who would bring discredit upon the alma mater and the whole country by protesting against the extension of a natural courtesy to practically the ruler of a great empire, whose military, legal, and political accomplishments, and his general command of great affairs and

Although, according to the "Nation,"

lib rately purchased for him in 1896 by mency as any article that ever seemed desirable or necessary to Mr. Hanna, this awful alleged fact did not prevent the "Nation" or its alter ego, the "New gument lies in the fact that if the Presen marked by or instincts, chooses to condemn the

impertant college graduates and a billous daily and weekly newspaper to say that they are all wrong. Aside from this proposition, no one who knows the scholar and gentleman who occupies the White House can have any doubt that he fully deserves the doctorate which Yale, to its credit, conferred upon him several years ago, or that the same honor, if conferred by Horvard, would add anything appreciably to his dignities.

The animus of the movement to prevent the bestowal upon the President of the degree which has been officially offered him is unhanced.

offered him is unhappily shown in the refreshment in the face of a cold asserfollowing lines of the "Nation" article tion by any American newspaper or periodical that the country was dragged into war with Spain against the wishes of a majority of its people. As a matter of notorious fact and settled history, the American masses were clamoring for a chance to drive Spain out of the hemisphere, because of her hideous defiance of every instinct of humanity, long before the Administration reluc tantly bowed to the popular will and consented to lead the crusade against medieval despotism and atrocity in the Antilles. But at this point it is perhaps proper to say that we discover the head and front of President McKinley's offerding. He did finally become the Moses of the American people, and he did head the movement which redeemed this side of the Atlantic from the Spanish curse. When Yale made him a doc tor he was as yet innocent of this crime; so the distinction was allowable. Since then he has avenged the blood and tears of Cuban women and chil dren, and he has no rights which anti-Americans, whether of the academic or the advertising class, are bound to re-

The Washington Relies. It has often been our privilege to omment upon the spontaneous and gracious way Mr. McKinley has of dong the right and nice thing on occasion. We have never seen a better illustration of that characteristic than just now has been shown in his return General George Washington Custis Lee of the Washington relies which were taken from the Arlington mansion at the beginning of the civil war, and which ever since have remained in the

enstody of the Government. These sacred family mementoes of the Father of His Country were in no sense to be regarded as spoils of war. It they had belonged to General Robert E. Lee himself, and he had died in arms against the Government, or had won the fight for the South, and lived an enemy of the North within the lines of the onfederacy, still it would have been indecorous and contemptible to have and provoking,

kept from him property only valuable sentimentally. As a matter of fact, th Washington relics, now in the Smithsonian Institution, did not belong to the general, but were a legacy to his bonored wife, with remainder to the present head of the family, who at jast as been promised their restoration by the President of the United States.

Repeated efforts have been made to ecure the return of the articles in juestion to their legal owner, but, alhough the propriety of the act has never been in question, up to the present time they have falled. Congres has discussed the proposition. Commitees have sat upon it, and voluminous reports have been made, all to no pur pese. Now comes President McKinley who with clear perception of the justic of the family claim, and his natural disposition to right a wrong when in his personal power to do so, cuts the kno f the matter by ordering the restora ion of the relics to General G. W. Cus

tis Lee. This ought to have been done long ago by some one of Mr. McKinley's predecessors. That does not detract from the kindliness and chivalry of his course in the affair. We are sincerely pleased with him in this connection and offer him our heartiest congratula-

Young Mr. Hay has resigned his post as onsul of the United States at Pretoria, a difficult position in which he has wor larly in the case of a gentleman of his short years and experience. It is said that there is difficulty in finding a satis factory person to succeed him, the small salary attached to the office being insuficient to support its incumbent in presenrireumstances. We do not generally dulge in the offering of gratuitous ad-vice, but we will venture to ask the Administration why it might not be pos sible to change the consular assign into a commissionership? There alway appears to be plenty of money with which to pay the salary and expenses of conmissioners. Why not send one to Pre-toria? The proposition does not involve a heavy outlay. In the middle of South Africa a commissioner would not require a steam yacht, and the country is too rough for automobiles.

No one need be in the least surprised to learn that China appears to be on the eve of another Boxer outbreak. The news for a number of days has presaged somthing of the kind, and now we hear that the movement is imminent. Even among the nations most familiar with Oriental altogether too much confidence reposed in alleged Chinese good intentions. While the wretched Empress Dowager is allowed to remain in control of the Government it would be the depth of foolinhness to expect anything but trouble; and our despatches yesterday indicated that trouble was at hand.

At the last Cabinet meeting before the leparture of the President on his tour of the country, yesterday, the Cuban situa-tion was canvassed, but its present consideration was left to Secretary Root. As we are told, it transpired at the sess that the Cuban commission had presented were met squarely and decisively by Mr. Root. They should not be left in any Root. possible error as to the necessary outcome of their mission, which must be acceptance of the Platt terms, or an indefinite

From the Philippines we are sorry to hear that the rebel leader Cailles has butchered eight of our soldiers after subjecting them to horrible tortures. We also for it. He favored the holding of a New regret to observe that the open and avowed rebel agent and plotter, Sixto Missions.

TO REPRESENT YALE ABROAD. fairs While in Europe.

NEW HAVEN, Conn., April 26.—The Yale Corporation has voted to make Prof. Thomas Dwight Seymour the official repoccasions in Europe the coming summer. He will give up his classes at Yale late in May and will sail for Scotland, where he will first attend the celebration of the 50th anniversary of the founding of the University of Glasgow, which will begin on June 12. At the Glasgow University celebration he will also represent officially the Archaeological Institute of America.

England, July 1 and will represent Yals at the King Alfred celebration. He will remain in England till September 15. Yale has never before sent an official representative to a university celebration in

Prof. Seymour is the head of the Greek department.

ECONOMY IN BUFFALO. Telephone Bills and the Water De.

partment Force Cut Down.

RUFFALO, N. Y., April 26-A hard ow was delivered to the Bell Telephone Company yesterday by the board of cour climen, while the estimates for the coming year were being considered.

The councilmen were annoyed by the elephone company's increase in prices it was decided to cut out all items for city telephones, except for police and fire Not a single city official objected and the loss to the telephone company will be about \$5,000 a year. A rising vote of thanks was given to Superin tendent Illig of the water bureau, who made the surprising announcement that eleven positions in his department could ndoned, with a resulting saving to

the taxonyers. It is the first time a local official has done anything of this kind.

They May Set the Fashion,

(From the Baltimore Herald.)

In several American eitles the ruling pow
we under serious advisement the question
rmitting the patrolines to wear shirt wairing the hot season. Washington, D. C.,
is of the fowns said to be contemplating a
summer innovation. These shirt waists can
alte as georgeously beautiful as the law will
we or, it left without restrictions, each
vidual policeman can make historial resplend
cording to his own tastes. It has been
arked by foreign critics that American it

The Simple Truth. (From the Louisville Courier-Journal.) The Republican party will stand no chance supremacy-nor would it stand any in the North if the same conditions prevailed there.

Attempted Too Much.

(From the New York Herald) (From the New York Herald.)

The failure of the army transport service was inevitable, because this mistit delegation of duty was based upon the hilarious assumption that military others sit permitted to command fragawere able to be dile seames and to manage a technical and very difficult branch of maritime affairs. The omniscience presupposed was only less appalling than the jocurát confidence with which the work was taken up, and both would be amusing if the experiment had been less coatly and provoking.

HARVARD ALUMNI PROTEST.

Circular Letter on the Proposes Degree for Mr. McKinley. CAMBRIDGE, Mass., April 26.-A com nittee of Harvard graduates is sending he following circular to all the alumni of

To the Alumni and Other Holders of

Degrees: Being informed that President McKiney has, through the solicitation of Sena or Hoar, the President of the Alumni As ciation, been recommended to the Board Overseers of Harvard College by the resident and fellows for the degree of I. D. honoris causa, we, with a coniderable number of other graduates of he university, intend to present a proest to the overseers, believing that the egree should not be conferred on Mr. dcKinley at this time, and that, as this commendation has been promoted by he solicitation of others, we also are learly entitled to be heard, as protestnts, by the overseers. "We firmly believe in the general prin

iple that honorary degrees should not be conferred merely in recognition of high olitical position, or as prizes of political 'It is worthy of remark that Harvard

ollege has already acted upon this prin-iple with respect to the Governor of dassachusetts. A former President of the United States, who came to Cam-bridge, recognized this principle, and did ot take the degree offered him.

Further, we believe that, as there exsts a sincere division of opinion concern ng the national policy with which Mr. dcKinley's name is associated, to confer the degree of doctor of laws upon him pain to a considerable number of grad rates by seeming to commit the univerity to a decision upon a political policy which decision is not the function of

uch an institution.
"It is conceivable that it would not be agreeable to the President, or his friends, to make him the recipient of a degree which cannot be the hearty and willing

We think that some protest should be made, so that this honor may not be con-ferred without an expression of the opinas of Harvard graduates who object to enferring the honoris causa degree on Mr. McKinley,

"In replying to this circular, will you, if our approve of a protest, sign the en-losed paper and send to Elmer H. Snow, Tremont Street, room 41, Boston, indiating whether you will allow your name o be made public if necessary?
"Any graduate who desires to protest

y written letter rather than by signing

by written letter rather than by signing his name, will help the cause if he will send his letter to the above address or to the president or other member of the board of overseers."

The circular is signed by Peter C. Brooks, 12; Wendell Phillips Garrison, '61, John Hitchie, 61; Edward W. Emerson, '66; David G. Haskins, '66; Charles F. Dole, '68; Archibald M. Howe, 42; Willlam G. Hale, '79; Charles B. Wilby, '76; Grenville H. Norcross, '75, Stephen Chase, '66; Everett V. Abbot, '86; Phillip McK. Garrison, '90; George W. Wheelwright, '90; Lawrence Brooks, '91.

Attached to the circular is a profest addressed to the board of overseers.

NEGRO EDUCATION DISCUSSED.

Booker T. Washington Addresses the Methodist Missionary Conference. NEW ORLEANS, April 26.- The third

day's session of the Methodist Ge Missionary Conference was opened today by an address by the Rev. D. C. Kelley on "Domestic Missions." He argued in favor of home missions, and thought the Church could do a great deal of good in this country, and that the failure to provide for home missions was a mistake. The Rev. Horace Eishop speke on problems of "Self-support and Administra-tion." He argued in favor of a business administration, and thought that no mis-sionary work should be undertaken, how-ever pressing, when there is no provision

Dr. G. W. Dyer spoke of missionary work in the Southern cities, where it was His address was on "The Negro and Inlustrial Education," and was in line with nis previous addresses on the subject. Nearly the entire session was devoted

the negro, and the general tendency of ne addresses was to the effect that the Methodist Church should work more car-nestly among the colored people of the South, and that there was a line field for its labor there. Dr. J. D. Harrimond, of Nashville, Tenn., opened the meeting. The Rev. R. I. Bingham asked the question. o the negroes in the South?

The Rev. C. V. Walker spoke on the ork of the Payne Institute, and Dr. W. G. Hubbard on "The Medical Education of the Negro."

At the evening session John Barrett x-United States Minister to Siam, spoke n "The Future of Missions from a Laynan Standpoint," and Bishop Hendrick, f Kansas City, on "The Missionary

The general tendency of today's meetng was in favor of more missions in the South, especially in the cities and among

MRS. HARRISON'S ACCEPTANCE. She Agrees to the Terms of Her Husband's Will.

INDIANAPOLIS, April 26.-Mrs. Benjamin Harrison today filed with the Pro-bate Commissioner, Mr. Walker, formal otice of her intention to accept the proens of the will of General Harrison. By the terms of the will she is to receive \$15,000 in cash, the summer home in the forth Delaware Street, and the interest \$125,000 during her life. After her death ic last two bequests revert to the resi-

Under the Indiana law she might have emanded one-third of the entire estate. hich is valued at about \$375,000. She has ver entertained any intention of doing however, her representatives say on Trust Company, as adminis erntor, will at once proceed with the settlement of the estate

MORMONS IN ARIZONA.

Brigham Young's Disciples Settling There in Large Numbers.

PHOENIX, Artz., April 26.-Many Morons are settling in this Territory n the northeastern part of the Territory ar St. John's, and also at Mesa, a place of far from Phoenix. Along the Little Colorado, in Apach

or many years. In fact, the people of that faith are beginning to constitute a large percentage of the population of Ari ons. Recently they began the construction of a big dam on the Little Colorado Their plans are to build an impounding ervoir capable of storing water for the trrigation of several thousand acre

The completion of this project will signalize a heavy immigration of Utah Mor There are also several Mormor settlements in New Mexico.

> Another Hero Gone Wrong (From the Chicago Record-Herald.)

useful act of kicking their pedestals from beneath their own fort. Gunner Morgan, who was elevated into public attention by Athenia Sampson's elli-ness, has brought suit against his wife for diverce on the ground of desertion. A sailor who charges his wife with deserting his floating brain and beard has no place in the pantheon of our naval

BRADSTREET'S ON THE WEEK. frade Buoyaney Expected With the Advent of Better Weather.

NEW YORK, April 28.-Bradstreet's to "While adversely affected by unfavora-ble weather conditions, general trade manifests a strong underlying tone, which eemingly lacks only the advent of better weather to become buoyant. Cold weather nas undoubtedly affected planting and terminating in some sections, but robable damage to crops is not so great is earlier advices appeared to indicate in some directions, activity is pronounced as, for example, in iron and steel, where apparently production is taxed to its caacity, but though seemingly more to neet existing requirements than because

f new orders. "Pittsburg mills are reported taxed to the utmost with deliveries difficult. The dvance of \$2 a ton on standard section ails on May II will bring the official qu tions in accord with the market price The situation with regard to the crude rms is practically unchanged on a firm The backward spring has worked to the disadvantage of dry goods, out business is looking up somewhat with the promise of improved weather condi-

'Heavy clearings continue to reflect a arge speculative movement. Railway cross earnings continue to show substantial gains, the current receipts of the Southwestern lines being the best in their history, and Western and Southern roads ng nlmost as well. The general price situation is one of

ess, most commodities being un-ed, though there are a few increases changed, though there are a few increases noticed, particularly on coffee, flour, wheat, corn, oats, lard, and tin, while butter, cheese, petroleum, and odd sizes of print cloths show declines.

"Speculation in wheat this week was active and the price movement was upward on a multiplicity of factors, chief of which were the damage reports by the Hessian fly, the decidedly unfavorable Prussian crop report, and the better cash and export demand, coupled with covering by shorts.
"In corn manipulation held sway. Phillips unloaded May, but bought July.
"Failures for the week in the United States number 214, as against 212 last week, and 182 in this week a year ago."

DUN'S REVIEW OF TRADE. Spring Business Retarded by the Storms and Floods.

NEW YORK, April 26.-Dun's review toerrow will say; "Business continues very brisk for the season in the face of some drawbacks, which at times might cause marked hesitation. Chief of these is the floods in many directions, which have interfered with railroad operations and interrupted the distribution of merchandise, and the weather all over the East has been ad-

verse to an increase in retail trade.
"Bank clearings, however, show that while speculation has been heavy there nust have been a well sustained volume of legitimate business, for the gains are 14.1 per cent over 1900, and 8.9 over 1809 outside New York, and 108.9 per cent over gains. For the first half of April, roads 96.2 per cent, and in the value of all reporting show an increase of 7.8 per cent products, 115.7 per cent. Thus the average eporting show an increase of 7.8 per cent over last year and 22.1 per cent over 1899.

with the crops.

"Much unfavorable comment has appeared regarding the advance in steel rails to 13. Yet the change is only in keeping with the recent increase in prices of pig iron and biliets. Pig iron is more quiet, with little taken for delivery beyond July I. Domestic business in principal lines of manufactured steel is so active as to discourage foreign buying, but machinery and speciality mills are exporting freely.

After a prolonged period of waiting for definite crop news the cereal markets suddenly awoke to unusual activity Much of the increased trading and sharp advance in prices resulted from clever manipulation by a single Western speculator, who compelled the short contingent to cover May corn contracts at the highest prices of the season. It is not surprising that foreign buying level of prices. Wheat has also risen sharply, particularly in sympathy with corn, but there was had news regarding the German crop and some damage occurred at the West.

"Wood is fairly steady, and this is the organical properties of the season, and the prices of the season for the process of the season. It is not surprising that foreign buying the development of the increase in the present exceptionally high level of prices. Wheat has also risen sharply, particularly in sympathy with corn, but there was had news regarding the German crop and some damage occurred at the West.

"Wood is fairly steady, and this is the

had news regarding the German crop and some damage occurred at the West.

Wool is fairly stendy, and this is the best that can be said. Eastern markets are quiet, with light demand from the mills. There is less disposition to secure raw material in advance of needs, although much faith is expressed fegarding the stability of price. Cotton responds slowly to indications of damage on plantations. Old crops come into sight freely, and heavy losses in British exports of goods and yarns do not promise a vigorous foreign demand for raw material.

"Another decrease is reported in shipments of boots and shoes from New English shops, although there is still a heavier movement than in the same week last year. Quotations are unchanged. Leather is barely steady at last week's decline.

"Continued activity and strength char-

Continued activity and strength char-erized the security market. Numerous erized the security market. Numerous ords were broken at the stock ex-inge. Most of the new movements unchange. Most of the new movements undertaken, such as that in Union Pacific stock, were not founded upon actual news. Heavy liquidation was seen in the steel stocks at times, and the industrial market is still far behind the railroad list in respect to activity and the favor of the public. Money was easier.

"Exchange was strong and higher. Few commercial bills appeared, and the short interest created by bankers recently caused several sharp advances.

"Failures for the week numbered 215 in the United States, against 204 last year, and 25 in Canada, against 22 last year."

VIEWS OF THE PUBLISHERS. The Abuse of Second-Class Mail Priv. Heges Denounced.

One hundred and fifty replies have been received by the Postoffice Department to the circular letter sent out by the Third Assistant Postmaster General to publishers throughout the country regarding the abuses of the second class mail privi-lege by so-called premium publications. A large majority of the publications heard from heartly endorse the department's plan to deny the use of the mails to such publications as are without literary merit. and depend solely on premiums, prizes, or guessing contests for their circulation. Among the letters received yesterday was one from the New York Hiblishers' Association, endorsing the general plan

the letter outlines.

As copies of the circular letter were also sent to the premium publications asking for their views, a number of strong protests have been received from these sources, but when the three hundred publishers to whom letters were sent have all been heard from Mr. Madden thinks the general sentiment will warrant some such a change as is contemplated.

A NEW ARMY RIFLE.

Experts Turn Out an Improvement Over Previous Inventions. SPRINGFIELD, Mass., April 26-Ex-

eris at the National Armory have about perfected a new army rice to supersede the Krag-Jorgensen arm. It embodies many of the features of the Mauser and is said to be a decided improvement over my army rifle yet invented.

The magazine will be practically the ame as the Mauser. The method of utting the cartridges from the magazine nto the barrel is greatly simplified, and ermits of a lighter construction of the inguisine. The rim on the cartridge is one neway with, giving an increased owder charge and a muzzle velocity of accepted a second instead of 2,000 feet. the familiar straight sight being used.

The Slaughter of the Innocents.

(From the Rochester Poet-Express.) A year tence there will be another singular of tame doves under the name of "sport," but the Legislature, we hope, will then be in na mood to listen to the voice of the lobby. Let the friends of the birds organize new and arouse public sentiment to such a pitch that the repeal bill will be certain of passage in 1902,

FOR PENSION COMMISSIONER.

Reported That Ex-Representative Peters Will Be Named.

It was reported yesterday that it is no mprobable that a successor to II. Clay Evans, Commissioner of Pensions, will be named by the President before Monday, and the name of the new Pension Com-missioner will be either S. R. Peters or Richard Blue, ex-Representatives from Kansas, with strong indications in favor of the former.

This statement is made on information that came direct from the White House yesterday afternoon. According to the re-port, some weeks ago several members of the Kansas delegation called on the President and presented the name of a certain gentleman for appointment as a member of the St. Louis Exposition Com mission. After listening to the delegathat he could not make the appointment as he had determined to select some Kan sas Republican for the office of Pension Commissioner. He wanted a man, he said, who was a lawyer of repute and who had had some experience in public life. It is claimed that the President said he would like to have a man who had also served on the bench. This was a sufficient hint, and the Kansas delegation, after a full and free conference, submitted to the President the names of ex-Representatives Peters, Blue, and Broderick. The said the appointment of either of these gentlemen would be entirely satisfactory

said the appointment of either of these gentlemen would be entirely satisfactory to the Kansas Republicans.

The President has had the matter under consideration for some time, and it was said yesterday afternoon that he had about decided to appoint Mr. Peters, with whom he served in Congress.

Mr. Peters has served on the bench and is a lawyer of recognized ability. He is also endorsed, it is said, by the Grand Army. The change to be made in the head of the Pension Office, it is said, is not intended as a reflection on Commissioner Evans, whose term of office has expired, but rather an adherence to precedent.

Commissioner Evans, it is reported, will

THE COKE INDUSTRY. Manufacturers' Statistics Reported

by the Census Bureau. The division of manufactures of the Cen-

us Bureau vesterday issued a bulletin on The report shows a capital of \$36,502,679 invested in the manufacture of coke, which represents the value of lands, buildings, vens, machinery, tools, implements, and the live capital required to carry on the business, but does not include the capital stock of any of the corporations. The value of the products from the use of this capital was \$35.855.445, to produce which involved an outlay of \$7,085,735 for wages; \$19.665,532 for raw materials, consisting

almost wholly of coal; and \$2,184,568 for miscellaneous expenses. The modern tendency of industry to concentrate in a comparatively small number of establishments is strikingly exemplified in the coke industry, where there is an in-crease of only 23, or 10.6 per cent, in the number of establishments reported, as 1960 and 84.0 over 1939 at this city. Rati-road earnings make similarly encouraging the number of tons of coke produced is product per establishment has risen from Reports from the interior show special 45,89 short tons in 1859 to 81,497 short tons trength in conditions through Missouri, in 1859, and the average value of all products per establishment from \$15,680 in 1889 to \$1,497 short tons in 1859, and the average value of all products per establishment from \$15,680 in 1889 to \$1,497 short tons in 1859 to \$1,497 short t

OBITUARY.

Harry Brower, widely known as the hampion coon hunter of New Jersey, lied yesterday at the Monmouth Meiorial Hospital, Long Branch. He was sixty-nine years old, and had lived in Long Branch all his life. His death was due to a cancer of the stomach. Two children survive him. Mr. Brower for nearly forty years hunted coons, and rarely came home empty-handed. He and his partner, the late Jacob Antonides, would often bag as high as six in one night. Mr. Brower possessed several door mats made from coon hides. He traveled in three States once to find a good coon dog, for, as he put it, a good dog was more than half the battle. He owned several dogs, for which he refused \$500 apiece. The old coon hunter loved to tell of his adventures in Hockson Swamp, near Tinton Falls, where the majority of the coons were caught.

Word was received in this city late yes terday afternoon of the sudden death at Clarksburg, W. Va., of Col. Benjamin Wilson, a former official of the Depart-ment of Justice, who for many years had harge of the defence of the French spoliation cases before the Court of Claims. Colonel Wilsen was born in Clarksburg. W. Va., and after serving through the gress from the First district of West Vis ginia, where he remained for five terms After his election to Congress Colone Wilson spent most of his time in this

city.
Funeral services will be held at his late home in Clarksburg Sunday afterneon. It is expected that many officials of the various Government departments will at-tend the services.

Mrs. C. S. Rapley, wife of W. W. Ray ey, died at 3:10 o'clock yesterday after noon at her residence in Montgomery County, Md., near this city. The cause of death is attributed to heart failure, although Mrs. Rapley had been ill for many

The deceased was sixty-seven years old and leaves five sons, Henry Rapley, R. R. Rapley, E. E. Rapley, and W. H. Rapley. The latter is well known as the manager of the National Theatre in this city. Mrs. Rabley was well known in Washington and resided close to the city nearly all her life. No arrangements have been made as yet about the funeral.

The Rev. Lyman H. Sherwood, seventy three years old, a graduate of Hobart Ce lege, died in Lyons, N. Y., on Thursday night. He conducted the Lyons Musical Academy from 1854 to 1884. He was father Academy room loss of services, and composer, head of the Sherwood, planist and composer, head of the Sherwood School of Music, of Chicago, Mrs. George H. Watson, wife of the Court dentist of Berlin, is his daughter. His widow and two other daughters, Clare and Eleanor, live in New York City.

Thomas Malley, one of the most no Penjans, who reached America after their movement of 1967, is dead at Waterbury, Conn. He boasted that he was th aly Irishman who ever dared to "fling the folds of Erin's green flag to hreeze on a St. Patrick's day in Eog-land. Escaping to America, he vowed he would never revisit the British posses-sions while the Queen lived. He was pre-paring to cross the Atlantic when death

Thomas D. Smith, ex-supervisor of th town of Hempstand, L. I., died at his home in Bellemore yesterday morning from pneumonia. He was fifty-six years old. He was a Republican, and he server twelve years as justice. He was one of the engineers who laid out the line of the Long Island Railroad to Patchogue and was connected with a number of engineer-ing enterprises on Long Island, He leaves a widow, a daughter, and a sen.

LATE LEGAL DECISIONS.

The judgment of the Supreme Court of New York, appellate division, affirming a verdict of \$566 in favor of the plaintiff for false arrest and imprisonment by police officers, was recently affirmed by the Court of Appeals (Snead vs. Bonnoil, is N. E. Rep., 396). In this case the plain-tif was arrested and imprisoned by the flicers without a warrant on the suspicion that he was carrying stelen propalleged offence for which he was arested, he was rearraigned upon a charge of carrying concealed weapons, and for is offence he was convicted. The Court

of Appeals said: "The situation was, therefore, that the plaintiff had been placed under an arrest without reasonable cause for its having been made; that he was detained in prison for a period of time after his arraignment upon the charge; and was subsequently rearraigned and held for trial ipon another charge of having committed a misdemeanor. The fact, however, that at the time of the arrest the plaintiff may have been, although unknown to the de-fendant, guilty of a misdemeanor is no fendant, guilty of a misdemeanor is no justification for the trespass, as it is contended. In the first place, if the plaintiff was not placed under arrest for a misdemeanor, then he was illegally imprisoned from November 9 to November 10. During that period he was faisely imprisoned on a charge for which there was, as it has been found, no reasonable cause. In the next place, the illegality of the arrest was not, and could not be, cured by the subsequent charge of having committed a misdemeanor, for which a conviction was eventually had. * *

"The procedure in this case was without warrant in the law. It would not do to hold that the lilegality of a person's arrest upon an unfounded charge could be cured by the subsequent charge and conviction for another offence."

A prison guard who is injured by fallng from a defective ladder cannot maintain an action for damages against the State's prison, holds the Supreme Court of North Carolina in the case of Moody or North Carolina in the case of access vs. State's Prison (38 S. E. Hep., 121), since such action would be in effect an action against the State to recover for a tort of its agents, and on the grounds of public policy such an action cannot be permitted.

If, in the exercise of reasonable care, the treasurer of a county deposits in a bank reputed to be safe money of an in-testate, which is paid to him under statute, and it is lost by the failure of the bank, the Supreme Court of Colorado, in the case of Gartley vs. People (H Pac. Rep., 208), holds that the treasurer and his sureties are not liable on his bond, since such money was not public funds, but a private fund entrusted to the county's care, and therefore the extraordinary liability of receivers of public money does not apply. not apply.

The roles of a newspaper publisher for-bidding his employes to publish any statement reflecting on anyone, without due investigation, are held by the New York Supreme Court, appellate division, in the case of O'Brien vs. Bennett (19 N. Y. Supp., 28), not to be admissible in an action for libel, as bearing on the question of malice, but are only pertinent to the question whether the article was published without proper enquiry as to its truth.

The promise of two persons to take each other as husband and wife in the presence of one who holds himself out as a min-ister, and who performs a marriage ceremony, followed by living together, con-stitutes a logal marriage, holds Judge Gildersleeve, of the New York Supreme Court, special term, in the civs. Herz (6) N. Y. Supp., 478).

Forcibly entering a dwelling house and murdering therein a servant of the owner does not entitle such owner to recover of the wrongdoer the value of the premises. holds the Supreme Court of Georgia, in the case of Clark va Gay (S S. E. Rep. SI), on the theory that because of the commission of the crime plaintiff's family abandoned the house and refused to live in it, and that in consequence it has become worthless.

means of a telephone does not put upon the party proving it any greater burden of proof than that involved in the emtablishing of any oral contract in through an intermediary, holds the preme Court of New Jersey in the cas Henderson Manufacturing Company Moore (48 Atl. Rep., 525).

Affidavit other State are void, holds the Supreme Court of Illinois in the case of Bell va Farwell (59 N. E. Rep., 266), where the notary makes no certificate of his authority to administer ouths under the laws such authority is submitted to the court.

A contract between an envelope com pany which manufactures 85 per the envelopes of the country and a smaller manufacturer, wherein it was agreed that envelopes should not be sold by any of the parties to the contract except at scheduled prices fixed by a corpor agent of the larger company, was held to be void by the Court of Appeals of New York, in the case of Cohen vs. Berlin & Jones Envelope Company (69 N. E. Rep., 267, on the ground that such a contract threatens a monopoly, whereby trade in a useful article may be restrained and its price unreasonably enhanced; and the court further held that it mattered not that the parties to it may have so moderately advanced prices that the sum exacted for the product seemed to some persons reasonable, as the "scope of the contract, and not the possibility of self-restraint of the parties to it, is the text of its validity." exent of the larger company, was held

A publication in a newspaper headed Ring," charging that the board of trustees "had the 'ring' in the hose of the taxpayers last Monday night in a most ontemptible, illegal, and unjust manner, contemptible, illegal, and unjust manner, and unworthy of citizens elected to look after the best interests of our little town," was held by the Supreme Court of California, in the case of Schomberg vs. Walker 64 Pac. Rep., 290, to be libelous, as a false and unprivileged publication, which exposes a person to hatred, contempt, or ridicule.

A punitive order of the Court of Chanery fining or imprisoning a party for ontempt is held by the Court of Errors and Appenis of New Jersey, in the case of Grand Lodge vs. Jansen (48 Atl. Rep., in), not to be appeniable, if the matter and party be within the jurisdiction of

The objection that a judge sitting in the United States Circuit Court is disqualied because of personal interest or relaonship to the parties from acting upon preliminary questions arising in a suit is one for determination by such judge, holds the United States Circuit Court of Appeals, in the case of Coltrarse vs. Templeton (196 Fed. Rep., 139), and his decision that he is not disqualified from acting in such matters is not reviewable by appeal.

The expenditure by a husband of his property of his wife is presumed to be a gift to her, in the absence of proof of a contrary intent, holds the Court of Er-curs and Appeals of New Jersey, in the mass of Selwer vs. Selwer (48 Atl. Rep.,

Where a village discharges its sewage nto a river, thereby polluting and discolring the waters, the New York Suprem oring the waters, the New York Supreme-Coart, appeliate division, in the case of Butter vs. Village of White Plains (88 N. Y. Supr., 185), holds that on the petition of a lower riparias owner equity will re-strain the same to prevent a multiplicity of suits, as such act is a continuing nui-

Though the sum named in a promissory note as principal may in fact include acholds the Supreme Court of Georgia, in case of Harrell vs. Blount (28 S. E. the case of Harrell vs. Blount (38 8. Rep., 36), if such note stipulates for \$1 cent interest from manufity the true propal bears that rate of interest after, note becomes due; and to purge the mof marry it is only necessary to eliminate unlawful interest, i.e., interest e cesding 7 per cent, included in the notinal principal.